

COUNCIL CHAMBERS--CITY COUNCIL
CITY HALL--CITY OF LODI
Monday, March 13, 1936.

The City Council of the City of Lodi met in regular meeting at 9:00 o'clock P. M. of Monday, March 13, 1936. Councilmen Clark, Graffigna, Weihe and Steele present, Councilman Spooner, absent.

The minutes of the regular meeting of March 2nd, 1936 were read, approved as read and so indorsed by the Mayor.

Under public hearings, Mr. J. L. Craig addressed the City Council in regard to the real width of Pleasant Avenue, stating that he had abstract records showing that the street had been reduced in width from 100 feet to 80 feet but that it was evident that it had been further narrowed down to a width of sixty feet. He asked cooperation from the City to determine the present property lines. On motion of Councilman Weihe, seconded by Councilman Graffigna, this matter was referred to City Attorney West to get the report of an abstract company on these abandonments.

Representatives of various barber, butcher and grocery establishments being present, the Mayor suspended the order of business and Ordinance No. 216 was brought up for discussion. Mr. A. P. Harrison, Mr. J. E. Stemler and Elmer Airst addressed the Council for and against the adoption of the Ordinance, the differences existing, seeming to be only in the matter of prices to be charged. A petition was introduced at this time signed by the owners of practically all the butcher shops in the City asking that business hours be established by ordinance. Mr. C. R. Fuggles addressed the Council in favor of this petition stating that similar ordinances were in effect in Tracy, Stockton, Marysville and many southern cities. Mr. Otto Euehler, owner of the building occupied by the Lodi Public Market, protested against the adoption of regulatory ordinances; other grocers and butchers spoke in favor of the ordinance. Ordinance No. 216 entitled "ORDINANCE ADOPTING CODE OF FAIR COMPETITION AND FIXING THE STANDARDS OF FAIR COMPETITION FOR BARBER SHOPS AND THE PRACTICE OF BARBERING IN THE CITY OF LODI, CALIFORNIA, PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH UNDER CHAPTER 314 OF THE CALIFORNIA STATUTES OF 1935 APPROVED BY THE GOVERNOR ON JULY 20, 1934" was then brought up for final passage and adoption, Councilman Graffigna, moved, seconded by Councilman Weihe, that second reading of the ordinance be omitted and that the same be adopted and ordered to print, and the foregoing Ordinance No. 216 was then passed and adopted by the following vote:

AYES: COUNCILMAN, GRAFFIGNA, WEIHE, CLARK AND STEELE
NOES: COUNCILMAN, NONE
ABSENT: COUNCILMAN, SPOONER

On motion of Councilman Weihe, seconded by Councilman Graffigna, City Attorney, Glenn West, was directed to prepare an ordinance or ordinances in accordance with the petition filed by the butchers and grocers regulating the hours of business of these establishments and of such other establishments as might petition for such regulations. Motion carried.

On motion of Councilman Weihe, seconded by Councilman Graffigna, Ordinance No. 217, entitled "AN ORDINANCE CREATING A PLANNING COMMISSION WITHIN AND FOR THE CITY OF LODI", which had been regularly introduced and read at the meeting of March 2, 1936 was reintroduced for passage and passed by the following vote:

AYES: COUNCILMAN, WEIHE, GRAFFIGNA, CLARK AND STEELE
NOES: COUNCILMAN, NONE
ABSENT: COUNCILMAN, SPOONER

On motion of Councilman Weihe, seconded by Councilman Graffigna, Ordinance No. 218, entitled "AN ORDINANCE FIXING THE SALARIES AND COMPENSATION OF THE CITY CLERK AND EX-OFFICIO ASSESSOR AND OF THE CITY TREASURER AND EX-OFFICIO TAX COLLECTOR OF THE CITY OF LODI, REPLACING ORDINANCES NO. 112 AND NO. 145 AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH", was brought up for final passage, and was finally passed and adopted by the following vote:

AYES: COUNCILMAN, WEIHE, GRAFFIGNA, CLARK AND STEELE
NOES: COUNCILMAN, NONE
ABSENT: COUNCILMAN, SPOONER

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It appearing that it would be to the best interests of the City of Lodi to enter the lease with Mrs. Nettie L. Murray for the 15 acres embraced in Pioneer Park, the Mayor is authorized to execute such a lease by the adoption of Resolution No. 838.

RESOLUTION NO. 838

BE IT RESOLVED, by the City Council of the City of Lodi, California:

That said City enter into a lease by and between the City of Lodi, party of the first part and Mrs. Nettie L. Murray, of Redwood City in the County of San Mateo, party of the second part, a copy of which lease is annexed hereto and made part hereof;

BE IT ALSO RESOLVED, that G. M. Steele, Mayor of this City be, and he is hereby authorized and directed to make, execute and deliver said lease and J. F. Blawely, City Clerk is hereby directed to attest to the execution thereof.

The foregoing Resolution No. 838 was then passed and adopted by the following vote:

AYES: COUNCILMEN, BRAFFIER A, WEINE, CLARK AND STEELE
NOES: COUNCILMAN, NONE
ABSENT: COUNCILMAN, SPOONER

The expenditure of a portion of the City's allocation of the Gasoline Tax Monies in the maintenance of a portion of State Route No. 83 lying within the City limits was authorized and directed by the passage of Resolution No. 839.

RESOLUTION NO. 839

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT
FOR EXPENDITURE OF GASOLINE TAX MONIES FOR MAINTENANCE
OF STATE HIGHWAYS WITHIN CITY OF LODI.

RESOLVED, that G. M. Steele, Mayor of this City and J. F. Blawely, City Clerk thereof, be, and they are hereby authorized and directed to make and enter into an agreement, a copy of which agreement is annexed hereto and made part hereof, for the expenditure of portion of this City's allocation of Gasoline taxes for State Highways, such agreement to be for the biennium ending June 30, 1937. This agreement supercedes a similar agreement executed in February 1935, and supplements thereto.

The foregoing Resolution No. 839 was then passed and adopted by the following vote:

AYES: COUNCILMEN, WEINE, CLARK, BRAFFIERA AND STEELE
NOES: COUNCILMAN, NONE
ABSENT: COUNCILMAN, SPOONER.

A petition and guarantee of payment for the materials necessary to lay curb and gutters along both sides of Avena Avenue having been filed with the City Clerk, was read read. Councilman Weihe, seconded by Councilman Braffiera made a motion that the Mayor and the City Clerk be directed to apply to the Works Progress Administration to install such curbs and gutters, this was done by the adoption of Resolution No. 840.

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RESOLUTION NO. 340

RESOLVED by the City Council of the City of Lodi, County of San Joaquin, State of California:

That E. M. Steele, Mayor of said City of Lodi, be, and he is hereby authorized and directed to make application to the Works Progress Administration for approval of the project hereinafter mentioned, and that J. F. Blakely, City Clerk of this City be, and he is herein authorized and directed to certify to such papers as may be necessary to put such project into operation, said Mayor and said City Clerk to act as Sponsor's Agent and Fiscal Officer respectively:

The project for which application is herein authorized is as follows:

Installation of concrete curbing and concrete gutters of the combined type along the curb lines of South Avena Avenue, the grading of the roadway of said Avena Avenue and the billing of the same so as to prevent dust.

The foregoing Resolution No. 340 was then passed and adopted by the following vote:

AYES: COUNCILMAN, WEINE, GRAFFIGNA, CLARK AND STANLE
NAYS: COUNCILMAN, NONE
ABSENT: COUNCILMAN, SPOONER

The Clerk read a letter from William Ingram transmitting a letter from the Bureau of Sanitary Engineering, regarding the operation of the City's Sewage Disposal Plant. Mr. John A. Henning stated that it might be possible that the impairment of the plant's efficiency might be checked to the fact that the liquid from the sludge beds was allowed to return to the digestion tanks. He suggested that this liquid be diverted to see if it was causing some of the trouble; Mr. Henning also suggested that the diffuser plates be sand-blasted. The communication was ordered referred to the Committee of Public Health and Safety by order of the Mayor.

Mr. C. S. Jackson, Chief of Police, addressed the Council by letter enclosing a report made by the City Attorney, Acting City Engineer, and Mr. Paul T. Nesbit as radio technician, regarding the type of radio equipment to be installed by the City for police purposes. On motion of Councilman Clark, seconded by Councilman Weine, it was directed that the City purchase such radio equipment as that recommended in the report and proceed at once with its installation.

On motion of Councilman Weine, seconded by Councilman Graffigna, the renewal of the contract for the sale of the sludge from the Sewage Disposal Plant to Mr. W. E. Riggs was authorized.

The Clerk stated that there was considerable activity regarding the opening of Sacramento Street from Spruce Street to the South line of Lot 3 in the Hutchins Addition to Lodi. At the direction of the Mayor, none dissenting, this matter was referred to the Acting City Engineer for recommendations as to the most practical way to open this street at a fifty (50) foot width.

Chief of Police, C. S. Jackson, then addressed the Council asking that an Ordinance be adopted prohibiting the parking of automobiles in the City's alleys and also that an ordinance requiring permits to be obtained for dances be adopted. These recommendations meeting with the approval of the Council, the City Attorney was directed to draft ordinances covering these items.

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Ten building permits Nos. 1432 to 1441 inclusive for structures to cost \$3,100.00 were approved and ordered granted on motion of Councilman Graffigna, seconded by Councilman Weine.

The Clerk presented a new offer from the Federal Government proposing a Loan & Grant Agreement for the construction of the City's contemplated power plant. Owing to the many legal complications surrounding the City's suits affecting this plant, this offer was ordered referred to the City Attorney for study and recommendations.

The Clerk reported that the Vico Company, successors in interest to the Pioneer Fruit Company, had approached him in regard to the delinquent taxes on their lots on Lodi Avenue and South Main Street. This Company had indicated a willingness to pay a portion of the delinquent taxes now amounting to \$917.87 if some compromise figure could be reached that would be deemed fair by both the City and the Company. The Clerk was directed to tell the representative of the Vico Company that the City could not make a valid compromise of the taxes but that it could be willing to offer the land for sale at auction to the highest bidder and thus they might acquire the property at a figure somewhat less than that of the delinquent taxes and penalties.

The City Attorney, Glenn West, stated that the City's percolating water cases now before the Supreme Court had been given a place on the May calendar and that the judges had given both sides the option of submitting on briefs or the argue the case. Mr. West, reported that Mr. T. P. Mittenchen, attorney for the East Bay Municipal Utility District, had determined on argument and therefore the Council instructed Mr. West and Mr. Robert Searls to prepare to present arguments at the time this case came up for hearing.

Councilman Clark reported that Mr. L. T. Mason desired that some immediate action be taken to determine the boundary lines of the City's property and of his own in the vicinity of the Lake Park. Mr. Mason presented a suggested description to be inserted in new deeds and these were ordered to be referred to the City Engineer's Office for checking.

Claims Nos. 35793 to 35894 inclusive in the amount of \$10,413.15 as approved by the Finance Committee were allowed and ordered paid on motion of Councilman Clark, seconded by Councilman Weine.

The Superintendent of Public Utilities, Mr. John A. Henning, informed the Council that the old Byron-Jackson Centrifugal pump at the Water Works had been taken out but that the casing and impeller were so badly worn that it would not pay to repair them. He suggested that the City purchase a new pump and motor and on motion of Councilman Graffigna, seconded by Councilman Weine and carried, Mr. Henning was authorized to proceed to purchase the pump and motor.

At 11:45 o'clock P. M. the City Council adjourned on motion of Councilman Clark, seconded by Councilman Weine.

ATTEND:

J. F. Blaney
J. F. BLANEY, City Clerk

For the City of Lodi,
I hereby certify that the
Council of the City of Lodi
did on the 11th day of
April, 1935, pass the
within and attached.

G. M. Steele